

AO 91 (Rev. 08/09) Criminal Complaint

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

MAY 15 2017

David J. Bradley, Clerk

United States of America

-03 Yesenia GARCIA, YOB: 1992, COC: US
 -04 Teresa GONZALES, YOB: 1992, COC: US

Case No. M-17-0794-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 13, 2017 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC 952

Knowingly and intentionally attempt to import into the United States from the United Mexican States approximately 11.36 kilograms of methamphetamine, a Schedule II controlled substance, and did knowingly and intentionally possess with the intent to distribute approximately 11.36 kilograms of methamphetamine, a Schedule II controlled substance. Furthermore, the defendant(s) did knowingly and unlawfully conspire to possess with intent to distribute the above listed controlled substances.

21 USC 841

21 USC 846

This criminal complaint is based on these facts:

✓ Continued on the attached sheet.

Approved,
Ron C. L.
 AUSA

Jesus R. Cuellar
 Complainant's signature

Jesus Cuellar, HSI Task Force Officer
 Printed name and title

Sworn to before me and signed in my presence.

Date: 5/15/20178:56 am

Peter E. Ormsby
 Judge's signature

City and state: McAllen, Texas

U.S. Magistrate Judge Peter E. Ormsby
 Printed name and title

ATTACHEMENT A

- I. On May 13, 2017, at approximately 2:50 p.m., U.S. Customs and Border Protection Officers (CBPOs) encountered Yesenia GARCIA and Teresa GONZALES as they presented themselves for entry inspection via the pedestrian lane at the Progreso, Texas Port of Entry. GARCIA and GONZALES were traveling together from Mexico into the United States.
- II. At the primary inspection area, GARCIA and GONZALES presented themselves as United States citizens to the primary inspecting CBPO. GARCIA and GONZALES were both carrying two (2) plastic bags each filled with items labeled as legitimate merchandise and presented the bags to the CBPO. The CBPO inspected the bags of merchandise and noticed they were suspiciously heavier for the type of merchandise labeled. GARCIA and GONZALES provided a negative customs declaration to any contraband. GARCIA and GONZALES were referred to the secondary inspection for further inspection.
- III. At the secondary inspection area, GARCIA stated GONZALES accompanied her from Fort Worth, Texas into Mexico for the sole purpose for them to purchase merchandise for GARCIA's upcoming party. GARCIA and GONZALES claimed ownership of the bags of merchandise presented for inspection. A CBP certified-Canine Team conducted a systemic search of GARCIA's and GONZALES' merchandise and indicated a positive alert to the bags of merchandise to the presence of narcotics. Furthermore, an x-ray inspection of the merchandise revealed anomalies within the bags of merchandise. CBPOs conducted a field test of the merchandise which yielded positive for characteristics of methamphetamine. A total of approximately 11.36 kilograms of methamphetamine were seized from GARCIA and GONZALES.
- IV. In a post-Miranda interview, GARCIA and GONZALES both stated to Homeland Security Investigations (HSI) Task Force Officers (TFOs) that they were promised a significant amount of money to travel from Fort Worth, Texas into Nuevo Progreso, Mexico in order to pick up the merchandise. GARCIA and GONZALES both admitted they were aware the narcotics would be disguised as merchandise designed to deceive law enforcement detection. GARCIA and GONZALES stated they were instructed to smuggle the narcotics from Mexico into the United States.